IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO :18528 of 2007

DATED:31.8.2007.

Between:

K.Rambabu

.....

PETITIONER

AND

1.The Govt of A.P rep by its Principal Secretary Irrigation & CAD Dept, Secretariate, Hyd & another

.....RESPONDENTs

THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO:18528 OF 2007

ORDER: (Per the Honourable Smt.Justice T.Meenakumari)

The petitioner has filed the present writ petition seeking to call for the records pertaining to the order dated 6.8.2007 in O.A.No:540 of 2003 of the Tribunal and the Government Memo No:28305/Ser.I (1)/2005-1, dated 16.9.2005 and the consequential proceedings R.C./ENC/D2/2757/2005, dated 18.2.2006 and set aside the same and direct the respondents to consider the case of the petitioner for promotion to the post of Deputy Executive Engineer basing on his original date of appointment i.e., 17.1.1995 with all consequential benefits.

The petitioner herein is the applicant.

Before going into the merits of the case, it is relevant to note that the order impugned herein is an out come of a common order passed by the tribunal in O.A.No:450 of 2007 and batch, dated 6.8.2007.

At this stage of the proceedings, it is submitted by the

learned counsel for the applicant that the present O.A. is confined to the promotion as claimed by the applicant, but whereas the other O.As pertain to a direction to the respondents as to the preparation of seniority list in the cadre of Assistant Executive Engineers and therefore, the present O.A., which has to be adjudicated on its own merits, cannot be clubbed with other O.As.

In view of the submission of the learned counsel for the applicant and in view of the fact that the relief that is sought for in the present O.A is distinct from that of other O.As, without expressing any opinion on the merits of the case, We feel it appropriate to remand the matter to the tribunal for fresh disposal on its own merits.

Accordingly, the W.P. is allowed setting aside the order impugned in so far as the present O.A. is concerned and remanding the matter in the present O.A.540 of 2007 to the tribunal for fresh disposal on its own merits in accordance with law.

(JUSTICE T.MEENAKUMARI)

31st August, 2007

(JUSTICE G.CHANDRAIAH)

gurc/nn

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO:18528 of 2007

(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

31st August, 2007.